### United States Bankruptcy Court Western District of New York

In re: Case No. 20-10322-CLB
The Diocese of Buffalo, N.Y. Chapter 11

Debtor

CERTIFICATE OF NOTICE

District/off: 0209-1 User: admin Page 1 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 09, 2023:

Recip ID<br/>dbRecipient Name and Addressdb+ The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215aty+ Gleichenhaus, Marchese & Weishaar, PC, 43 Court Street, Suite 930, Buffalo, NY 14202-3100aty+ Pachulski Stang Ziehl & Jones LLP, 780 Third Avenue, 34th Floor, New York, NY 10017-2024pr+ Charles Mendolera, c/o The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215sp+ Chelus, Herdzik, Speyer & Monte. P.C., 438 Main Street, Tenth Floor, Buffalo, NY 14202-3210ntcapr+ Official Committee of Unsecured Creditors, c/o Pachulski Stang Ziehl & Jones LLP, Attn: J. Stang, I. Scharf, S. Golden, 780 Third<br/>Avenue, 34th Floor, New York, NY 10017-2024

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time

Recip ID Notice Type: Email Address Date/Time Recipient Name and Address

smg + Email/Text: ustpregion02.bu.ecf@usdoj.gov

Jul 07 2023 18:28:00 Office of the U.S. Trustee, 300 Pearl Street, Suite

401, Olympic Towers, Buffalo, NY 14202-2523

TOTAL: 1

#### BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 09, 2023 Signature: /s/Gustava Winters

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 7, 2023 at the address(es) listed below:

Name Email Address

Adam Ross Durst

on behalf of Defendant Employers Insurance Company of Wausau (f/k/a Employers Insurance of Wausau A Mutual Company f/k/a Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com

District/off: 0209-1 User: admin Page 2 of 26 Total Noticed: 7 Date Rcvd: Jul 07, 2023 Form ID: pdforder

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District/off: 0209-1 User: admin Page 3 of 26 Date Rcvd: Jul 07, 2023 Total Noticed: 7 Form ID: pdforder

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District/off: 0209-1 User: admin Page 4 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 5 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 6 of 26

Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 7 of 26

Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 8 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 9 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 10 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 11 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 12 of 26 Date Rcvd: Jul 07, 2023 Total Noticed: 7 Form ID: pdforder

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District/off: 0209-1 User: admin Page 13 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1

Date Rcvd: Jul 07, 2023

Form ID: pdforder

Total Noticed: 7

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District/off: 0209-1 User: admin Page 15 of 26 Total Noticed: 7 Date Rcvd: Jul 07, 2023 Form ID: pdforder Timothy Patrick Lyster on behalf of Plaintiff Our Lady of Grace Roman Catholic Church Society of Woodlawn New York n/k/a Queen of Angels R.C. Church of Lackawanna, NY tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Brigids Roman Catholic Church Society of Bergen N.Y., formerly known as St. Bridget Bergen tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Rose of Lima Roman Catholic Church of Forestville n/k/a Our Lady of Mount Carmel Roman Catholic Church Society of Silver Creek N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Thomas More Ripley n/k/a St. Dominic Roman Catholic Church of Chautauqua County tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Saint Georges Roman Catholic Church Society of Niagara Falls N.Y. n/k/a Divine Mercy Roman Catholic Parish of Niagara Falls, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Martins Church Society Langford Erie County n/k/a Epiphany of Our Lord Roman Catholic Parish Community Langford, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Sacred Heart Roman Catholic Church Society of Suspension Bridge N.Y., Niagara Falls n/k/a St. Raphaels Roman Catholic Parish of Niagara Falls, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Anthonys Roman Catholic Church Society of Lime Rock New York n/k/a Our Lady of Mercy Roman Catholic Parish of LeRoy, New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Marys Catholic Church Society of Pavilion N.Y. n/k/a Mary Immaculate Roman Catholic Parish of Pavilion, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Anthonys Roman Catholic Church Society of Lackawanna New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Our Lady of Czestochowa Roman Catholic Church Society of North Tonawanda New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff The Assumption Roman Catholic Church Society of Albion n/k/a Holy Family Roman Catholic Parish of Albion N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Leos Roman Catholic Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. James Roman Catholic Church Society of Depew N.Y., n/k/a Blessed Mother Teresa of Calcutta Roman Catholic Parish of Depew, New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Matthews Roman Catholic Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff The Sacred Heart of Jesus Roman Catholic Church Society of Dunkirk New York tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. John Cantius R.C. Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.comTimothy Patrick Lyster on behalf of Plaintiff Our Lady of Mount Carmel Roman Catholic Church Society of Niagara Falls New York n/k/a Holy Family of Jesus, Mary, and Joseph Roman Catholic Church of Niagara Falls, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Saint Casimirs Roman Catholic Church Society of Buffalo N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Immaculate Conception Rom. Catholic Church Society of Buffalo n/k/a Holy Cross Roman Catholic Church Society of Buffalo New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com

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District/off: 0209-1 User: admin Page 16 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 17 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 18 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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Date Rcvd: Jul 07, 2023

Form ID: pdforder

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District/off: 0209-1 User: admin Page 21 of 26 Total Noticed: 7 Date Rcvd: Jul 07, 2023 Form ID: pdforder Timothy Patrick Lyster on behalf of Plaintiff Resurrection Roman Catholic Church Society of Cheektowaga New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Josephs Roman Catholic Church Society of Scio N.Y. n/k/a Holy Family of Jesus, Mary, and Joseph Roman Catholic Church Society of Belmont, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Joseph Roman Catholic Church Society of Albion New York n/k/a Holy Family Roman Catholic Parish of Albion, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Vincents Roman Catholic Church Society of Attica N.Y. n/k/a SS. Joachim & Anne Roman Catholic Church of Attica, New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Marys Roman Catholic Church Society of Bolivar New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Holy Trinity Roman Catholic Church Society of Niagara Falls N.Y. n/k/a Divine Mercy Roman Catholic Parish of Niagara Falls, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Sacred Heart Roman Catholic Church Society of Angelica N.Y. n/k/a Holy Family of Jesus, Mary, and Joseph Roman Catholic Church Society of Belmont, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Bridgets Roman Catholic Church Society of Newfane N.Y. n/k/a St. Brendan on the Lake Roman Catholic Parish of Newfane, Olcott tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Teresas Roman Catholic Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff The Church of St. Mary of Sorrows n/k/a Sts. Columba-Brigid Roman Catholic Church of Buffalo N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff The Holy Name of Mary Roman Catholic Church Society of East Pembroke N.Y. n/k/a Saint Maximilian Kolbe Roman Catholic Parish of Corfu, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Marks Roman Catholic Church Society of Buffalo N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff The Roman Catholic Church of St. Franciscus Xavarius Buffalo n/k/a Assumption Roman Catholic Church Society of Buffalo, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Our Lady Help of Christians East Bennington n/k/a Immaculate Heart of Mary Roman Catholic Parish tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Catholic Society of St. Mary's Church Lockport, NY n/k/a All Saints Roman Catholic Parish of Lockport, New York tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Coronation of the Blessed Virgin Mary Roman Catholic Church Society of Buffalo N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Hyacinth Roman Catholic Church Society of Dunkirk New York n/k/a Blessed Mary Angela R.C. Parish of Dunkirk, N.Y. tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Elizabeth Cherry Creek tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff St. Mary Magdalene Roman Catholic Church Society tlyster@woodsoviatt.com mjohnstone@woodsoviatt.com Timothy Patrick Lyster on behalf of Plaintiff Sacred Heart Roman Catholic Church Society of Bennington N.Y. n/k/a Immaculate Heart of Mary Roman Catholic Parish tlyster@woodsoviatt.com, mjohnstone@woodsoviatt.com

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District/off: 0209-1 User: admin Page 22 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 23 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 24 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 25 of 26
Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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District/off: 0209-1 User: admin Page 26 of 26 Date Rcvd: Jul 07, 2023 Form ID: pdforder Total Noticed: 7

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TOTAL: 569

WESTERN DISTRICT OF NEW YORK		
In re:	)	Chapter 11 Case
THE DIOCESE OF BUFFALO, N.Y.,	)	Case No. 20-10322
	) Debtor )	

UNITED STATES BANKRUPTCY COURT

# ORDER GRANTING SIXTH APPLICATION FOR INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES OF CHELUS, HERDZIK, SPEYER & MONTE PC AS SPECIAL COUNSEL TO THE DIOCESE

Upon consideration of the Sixth Application for Interim Compensation and Reimbursement of Expenses of Chelus, Herdzik, Speyer & Monte, P.C., as Special Counsel for the Diocese [Docket No. 2298] (the "Chelus Sixth Interim Fee Application"), 1 and the Court being fully advised in the premises and a hearing having been held before the Court on June 22, 2023 to consider the Chelus Sixth Interim Fee Application (the "Hearing"):

#### IT IS HEREBY FOUND AND DETERMINED THAT:

- A. The Court has jurisdiction to consider the Chelus Sixth Interim Fee Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334.
  - B. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
  - C. Venue is proper pursuant to 28 U.S.C. § 1409.
- D. Proper and adequate notice of the Chelus Sixth Interim Fee Application and the Hearing was given and no other or further notice is required.
- E. The services provided by Chelus, Herdzik, Speyer & Monte PC ("<u>Chelus</u>") during the period from August 1, 2022 through January 31, 2023 (the "<u>Sixth Interim Compensation</u>"

1

<sup>&</sup>lt;sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms un the Chelus Sixth Interim Fee Application.

<u>Period</u>"), as set forth in the Chelus Sixth Interim Fee Application, were reasonable, necessary and beneficial to the chapter 11 estate of The Diocese of Buffalo, N.Y. (the "<u>Diocese</u>").

- F. The compensation requested in the Chelus Sixth Interim Fee Application is fair and reasonable given: (a) the complexity of tasks assigned; (b) the time expended; (c) the nature and extent of the services rendered; (d) the value of the services rendered; and (e) the costs of comparable services.
- G. The expense reimbursement sought in the Chelus Sixth Interim Fee Application represents actual and necessary expenses incurred in connection with this chapter 11 case.
- H. The legal and factual bases set forth in the Chelus Sixth Interim Fee Application and at the Hearing establish just cause for the relief granted herein.

# NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- 1. The Chelus Sixth Interim Fee Application is granted as set forth herein.
- 2. Any objections to the Chelus Sixth Interim Fee Application, or to the compensation and expense reimbursement sought therein, that have not been made, withdrawn, waived, or settled on the record at the Hearing, and all reservations of rights included therein, are hereby overruled and disallowed on the merits.
- 3. Chelus' fees for professional services rendered during the Sixth Interim Compensation Period are allowed on an interim basis in the amount of \$21,421.50.
- 4. Reimbursement of Chelus' expenses incurred during the Sixth Interim Compensation Period is allowed on an interim basis in the amount of \$212.30.
- 5. The Diocese is authorized and directed to promptly pay to Chelus the fees and expenses allowed herein less any amounts previously paid to Chelus pursuant to the *Order*

Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees [Docket No. 362].

- 6. All fees and expenses allowed herein shall remain subject to final approval by the Court upon further application pursuant to 11 U.S.C. § 330(a)(5).
- 7. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014 or otherwise, this Order shall be effective and enforceable immediately upon its entry. Any subsequent modification or vacatur of this Order shall not invalidate or impair any actions taken pursuant to this Order prior to such modification or vacatur.
- 8. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: July 7, 2023
Buffalo, New York

Honorable Carl L. Bucki Chief United States Bankruptcy Judge

